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Petitioners:

 DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY

* Case No. 88-15-A Odell Leach, et ux

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6.75 feet and a rear yard setback of 3 feet, in lieu of the required 10 feet and 30 feet, respectively, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mr. Leach, appeared and testified. Also appearing on behalf of the Petition was Norvel Moore, Contractor. There were no Protestants.

Testimony indicated that the subject property, known as 20 Seaford Avenue, is zoned D.R. 5.5 and is currently improved with a single family dwelling and detached garage with an open, connecting walkway between the two structures. The Petitioners have lived on the property since 1950 and now propose constructing an enclosure over the existing concrete walkway to provide sheltered access to the garage from the existing dwelling. Mr. Leach testified that he is concerned about being exposed to the inclement weather and the possibility of slipping and falling on the wet or icy concrete. He indicated that the enclosure would be approximately 75% glass, with a short wall to provide some privacy, and that no additional heating or plumbing fixtures will be added. Mr. Leach testified that he has discussed his plans with adjoining neighbors who indicated they have no objection.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable

Pursuant to the advertisement, posting of the property, and pub-

Baltimore County this day of July, 1988 that the Petition for Zoning Variance to permit a side yard setback of 6.75 feet and a rear yard setback of 3 feet in lieu of the required 10 feet and 30 feet respectively, for an enclosed passageway in accordance with Petitioner's Exhibit 1,

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

hardship upon the Petitioner.

lic hearing on this Petition held, and for the reasons given above, the requested variance should be granted. THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for

be and is hereby GRANTED, subject, however to the following restrictions:

2) The proposed enclosed prssageway shall contain no sleeping quarters, and no kitchen or bathroom facili-

> A M Nestanows ANN M. NASTAROWICZ Deputy Zoning Commissioner

> > 04

CERTIFICATE OF POSTING

Odell Leachetor Location of property NEIS Son Ford Aron 670' SE / Fortory Arm 20 Sog Ford fra

Location of Signe Foring See Ford Are, oppios, I' For mod way

Minimize to permit a side yard set-sich of 6.75 feet and a rear yard sethack of 3 feet in lieu of the re-solved 10 feet and 30 feet respec-dually.

L ROBERT HAINES

a'DUPLICATE" CERTIFICATE OF PUBLICATION. The Zoning Commissioner of Ballimore County, by suchasing of the
Zoning Act and Repulsioner of Ballimore County will hold a public
backing on the property identified
bestin in Ream 364 of the County
Office Building, located at 111 W.
Conseponde Avenue in Talyson.
Maryland as follows:

If Petition for Zoning Verlance
Communities Abstract
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//B Sealand Coled at 120 p.m.
//B Marylance to permit a side yard at Sometiment / A. Wall Mark

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed June 30, 188

THE JEFFERSONIAN,

S. Zefe Olm

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines Zoning Commissioner

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

NOTICE OF HEARING

Patition for Zoning Variance CASE NUMBER: 89-15-A NES Seaford Avenue, 520°± SE Eastern Avenue (20 Seaford Avenue) 15th Election District - 5th Councilmanic Petitioner(s): Odell Leach, et ux HEARING SCHEDULED: MONDAY, JULY 25, 1988 at 2:00 p.m.

VARIANCE to permit a side yard metback of 8.75 feet and a rear yard setback of 3 feet in lieu of the required 10 feet and 30 feet respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Zoning Commissioner of Baltimore County

J. ROBERT HAINES

cc: Odell Leach, et ux

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

494-3353 J. Robert Haines Zoning Commissioner

Dennis F. Rasmussen
County Executive

Mr. & Mrs. Odell Leach 20 Seaford Avenue Essex, Maryland 21221

Res Petition for Zoning Variance CASE NUMBER: 89-15-A NES Saaford Avenue, 820° ± SE Eastern Avenue (26 Seaford Avenue) 15th Election District - 5th Councilmanic Petitioner(s): Odell Leach, et ux HEARING SCHEDULED: MONDAY, JULY 25, 1988 et 2:00 p.m.

Dear Kr. & Mrs. Leachs

Please be advised that \$\frac{\pm 93.02}{15}\$ due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

No. 52864 and post set(s), there BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 01-615-0000 RECEIVED OBELL LEGEL ET LY 8 100 *** ** 93021 8 251

Baltimore County Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Mr. & Mrs. Odell Leach

Baltimore, Maryland 21221

Case No. 89-15-A

dance with the attached Order.

Dear Mr. & Mrs. Leach:

Enclosure

cc: People's Counsel

RE: PETITION FOR ZONING VARIANCE

NE/S Seaford Avenue, 620' SE of Eastern Avenue

free to contact our Appeals Clerk at 494-3391.

15th Election District; 5th Councilmanic District

20 Seaford Avenue

Enclosed please find the decision rendered on the above-refer-

In the event the decision rendered is unfavorable to any party,

Very truly yours,

ANN M. NASTAROWICZ

for Baltimore County

1 M Naskrowie

Deputy Zoning Commissioner

enced case. The Petition for Zoning Variance has been granted in accor-

please be advised that any party may file an appeal within thirty (30)

days of the date of the Order to the County Board of Appeals. If you

require additional information concerning filing an appeal, please feel

from the house in bad weather Property is to be posted and advertised as prescribed by Zoning Regulations.

B 015******3500:a \$28%F

VALIDATION OR SIGNATURE OF CASHIER

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

b. to make it convenient to gain access to the garage

PETITION FOR ZONING VARIANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 1802.3.C.1 To permit a side yard setback of 6.75 feet and

a rear yard setback of 3 feet in lieu of the required 10 feet and 30 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for following reasons: (indicate hardship or practical difficulty)

1. To install a roof structure over existing concrete slab

a. to shelter doorway from the weather

connecting the house and garage;

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Odell Leach (Type or Print Name) (Type or Print Name) Aileen Leach , Ruth City and State Attorney for Petitioner: 20 Seaford Avenue 682-5939 (Type or Print Name) Essex, MD. 21221 Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State BALTIMORE COUNTY, MARYLAND SCELLANEOUS CASH RECEIPT MISCELLANEOUS CASH RECEIPT y, this _____ day of this petition be advertised, as ers of general circulation through-

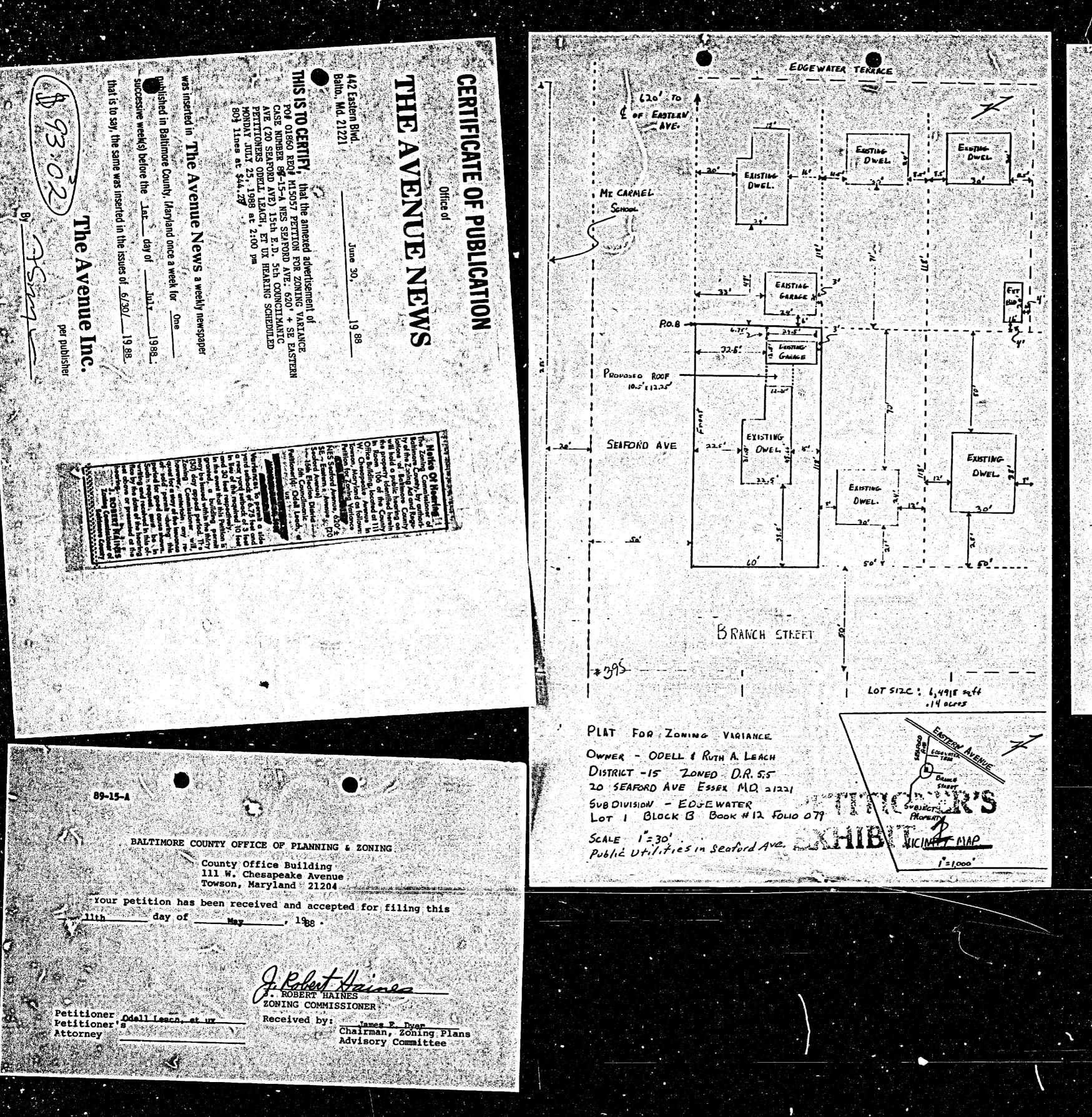
ZONING DESCRIPTION

Beginning on the North side of Seaford Avenue at a distance of 620 feet South East of the centerline of Eastern Avenue. Being Lot 1, Block B, in the subdivision of Edgewater, Book Number 12, Folio 079. Also known as 20 Seaford Avenue in the 15th Election District.

MAP NE 3H

hearing be had before the Zoning e Building in Towson, Baltimore

! Commissioner of Baltimore County.



Baltimore County
Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 Re: Property Owner: Odell Leach, et ux Location: NE/S Seaford Avenue 620' SE of Eastern Avenue Zoning Agenda: Meeting of 5/10/88 Item No.: 395 Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. () 2. A second means of vehicle access is required for the site.) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy. () 6. Site plans are approved, as drawn. REVIEWER: Cat | Sept Helly 5-18-88 Approved:

| Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approved: | Approv

BETIMORE COUNTY, MARLAND

INTER-OFFICE CORRESPONDENCE

FROM P. David Fields, Director
Office of Planning and Zoning

SUBJECT Zoning Petitions #89-4-A, 89-5-A, 89-14-A, 89-15-A)
89-16-A, 89-17-A, 89-19-A, 89-21-A, 89-23-A, 89-25-A,
89-27-A, 89-28-A, 89-29-A, and 89-34-A

There are no comprehensive planning factors requiring

PDF/jat cc: Shirley Hess, People's Counsel J. G. Hoswell Zoning File

cc: Mr. & Mrs. Odell Leach

ZONING OFFICE

July 14, 1988

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. & Mrs. Odell Leach 20 Seaford Avenue Essex, Maryland 21221

> RE: Item No. 395 - Case No. 89-15-A Petitioner: Odell Leach, et ux Petition for Zoning Variance

Department of Traffic Engineering State Roads Commission

Bureau of Fire Prevention Health Department Project Planning

> Board of Education Zoning Administration

Industrial Development

Building Department

Dear Mr. & Mrs. Leach:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

- Janes 4. Objert dt. JAMES E. DYER Zoning Plans Advisory Committee

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

June 2, 1988



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items

number 390, 392, 394, 395, 396, 397 and 401.

Very truly yours. Stepken E. Weber. P.E. Assistant Traffic Engineer

SEW/RF/pml-b

